

**AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]**

**Adopted and Filed**

**Rule making related to gasoline and blended fuels**

The Agriculture and Land Stewardship Department hereby amends Chapter 85, “Weights and Measures,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 214A.2 and 214A.16 as amended by 2022 Iowa Acts, House File 2581.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 214A.2 and 214A.16 as amended by 2022 Iowa Acts, House File 2581.

*Purpose and Summary*

This rule making implements changes made in 2022 Iowa Acts, House File 2581, during the 2022 Legislative Session. The amendments incorporate the following:

- Remove the requirement that fuel retailers place state-approved stickers on their pumps for ethanol and biodiesel fuels.
- Increase the minimum octane level for premium grade gasoline from 90 to 91 to match industry standards.
- Update the ethanol percentage by volume required for ethanol blended gasoline to qualify as E-85 to match industry standards.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 5, 2022, as **ARC 6581C**. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Department on December 7, 2022.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 21—Chapter 8.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or

group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on February 15, 2023.

The following rule-making actions are adopted:

ITEM 1. Rescind and reserve subrule **85.48(10)**.

ITEM 2. Rescind and reserve subrule **85.48(12)**.

ITEM 3. Amend subrule 85.48(14) as follows:

**85.48(14)** Octane rating of fuel offered for sale shall be posted on the pump in a conspicuous place. The octane rating shall be posted for registered fuels. No octane rating shall be posted on the pump for ethanol blended gasoline classified as higher than E-15. The minimum octane rating for gasoline offered for sale by a retail dealer is 87 for regular grade gasoline and ~~90~~ 91 for premium grade gasoline.

ITEM 4. Amend subrule 85.48(16) as follows:

**85.48(16)** Ethanol blended gasoline shall be designated E-xx where "xx" is the volume ~~percent~~ percentage of ethanol in the ethanol gasoline. Ethanol blended gasoline formulated with a percentage of ethanol between ~~70 and 85~~ 68 and 83 percent by volume shall be designated as E-85. Biodiesel fuel shall be designated as B-xx where "xx" is more than 20 percent renewable fuel by volume.

[Filed 12/14/22, effective 2/15/23]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/11/23.